

POLICY MANUAL

State Mental Health, Mental Retardation and Substance Abuse Services Board
Department of Mental Health, Mental Retardation and Substance Abuse Services

POLICY 4037(CSB)91-2

SUBJECT: Early Intervention Program for Infants and Toddlers with Disabilities and Their Families

AUTHORITY: Board Minutes Dated May 22, 1991

Effective Date May 22, 1991

Approved by Board Chairman Sunday B. West

REFERENCES: Education of the Handicapped Act (EHA), Part H enacted by PL 99-457; renamed in 1990 as Part H of the Individuals with Disabilities Education Act (IDEA) (PL 101-476); amended in 1991 by the Individuals with Disabilities Education Act Amendments of 1991 (PL 102-119)
§ 37.1-194, Code of Virginia (1950) as amended
State Board Policy 1021(SYS)87-9 on Core Services
House Joint Resolution No. 164, Virginia General Assembly Session 1990
Virginia Part H Policies and Procedures/
Application to U.S. Department of Education
Virginia Early Intervention Policies and Procedures
House Bill 817, Virginia General Assembly Session 1992
House Joint Resolution 626, Virginia General Assembly Session 1993
House Joint Resolution 627, Virginia General Assembly Session 1993

BACKGROUND: Through Public Law 99-457, Part H of the Education of the Handicapped Act was passed in 1986. It was renamed Part H of the Individuals With Disabilities Act and re-authorized in 1991. It authorizes the United States Department of Education to administer a five-year discretionary grant program for states to plan, develop, and implement a statewide, comprehensive, coordinated, interagency system of early intervention services for infants and toddlers with disabilities, birth through two (2) years of age, and their families.

In 1987, the Governor designated the Department of Mental Health, Mental Retardation and Substance Abuse Services as the "Lead Agency" to administer the Part H program. In March 1988, the Governor originally appointed the Virginia Interagency Coordinating Council (VICC) to advise and assist the Lead Agency in accordance with Federal requirements. Since 1988,

the VICC and the "Lead Agency" have worked collaboratively to develop policies and procedures for a comprehensive early intervention system of services.

Recognizing the importance of the national initiative for Virginia, the 1990 General Assembly established the Joint Subcommittee Studying Early Intervention Services for Handicapped Infants and Toddlers. The 1992 General Assembly enacted House Bill 817, which established the administrative structure necessary for Part H implementation. The bill reinforces Virginia's commitment to the Part H program and codifies the shared responsibilities of state agencies in implementing Part H in the Commonwealth. In the 1993 General Assembly, HJR 626 was passed recommending Virginia's movement into full implementation of the Part H program in September, 1993. Also passed was the HJR 627, continuing the work of the legislative subcommittee.

Virginia is currently in the fourth year extended participation in the Part H program. To receive fifth year and subsequent grant funding under Part H, Virginia's application to the U.S. Department of Education must include assurances that the State has adopted policy incorporating all components of a statewide system of early intervention as specified in the law and that the statewide system of early intervention services is in effect.

PURPOSE:

The purposes of this policy are to establish Virginia's commitment to fully implement a statewide system of early intervention services to infants and toddlers with disabilities and their families as required by Part H and to meet the requirements for fifth year and continuing participation in the national Part H program.

POLICY:

It is the policy of the State Mental Health, Mental Retardation and Substance Abuse Services Board that the DMHMRSAS, in cooperation with the Department of Education, the Department of Health, the Department of Social Services, the Department for the Visually Handicapped, the Department for Rights of Virginians with Disabilities, the Department of Medical Assistance Services, the Department for the Deaf and Hard of Hearing and the Bureau of Insurance of the State Corporation Commission shall through local interagency coordinating councils which include membership of community services boards, local school boards, local health departments, state/regional/local representatives of the other participating state departments, and through other private and private nonprofit agencies fully implement a statewide, comprehensive, coordinated, interagency, multidisciplinary system of providing early intervention services to all children eligible under Part H of the Individuals with

Disabilities Education Act (IDEA) and their families. The system of services shall incorporate all of the components of a statewide system of early intervention services that are required in the regulations under Part H. DMHMRSAS will continue the facilitation and coordination of all activities with the advice and assistance of the Virginia Interagency Coordinating Council (VICC).

It is further the policy of the Board that DMHMRSAS, in cooperation with the other participating state departments involved in Part H through their state/regional/local agencies or representatives, make available multidisciplinary evaluation and assessment, development and full implementation of individualized family service plans (IFSP), and service coordination to Part H eligible children, birth through two years of age, and their families no later than the beginning of the fifth year of participation (September 1993) and conduct these services in accordance with procedures as delineated in Virginia's Part H policies and procedures.

It is further the policy of the Board that local communities through their interagency collaborative efforts will continue to have the option of deciding how to best meet the needs of at-risk children to the extent that resources are available for this purpose. DMHMRSAS, in cooperation with other state agencies and with the assistance of the VICC, will continue to study the service needs of infants and toddlers at-risk to plan for appropriate means of serving those children and their families.

It is further the policy of the Board that DMHMRSAS in cooperation with the other participating state departments involved in Part H through their state/regional/local agencies or representatives provide the following services under Part H at no cost to parents:

- implementing child find activities including screening and referral
- evaluation and assessment
- service coordination
- administration and coordinative activities related to the development, review, and evaluation of individualized family service plans (IFSPs) and implementation of the procedural safeguards

It is further the policy of the Board that with the exception of the services listed above that are Federally required to be available at no cost to families, services contained in the IFSP may be provided subject to a system of sliding fees in accordance with Federal and state law under Virginia early intervention policies and procedures.

It is further the policy of the Board that DMHMRSAS, with the advice and assistance of the VICC, use the federally required Virginia Part H policies and procedures as the basis for statewide implementation of the Part H program.

It is further the policy of the Board that DMHMRSAS as lead agency, on behalf of the state agencies involved in Part H and with the advice and assistance of the Virginia Interagency Coordinating Council and through local interagency coordinating councils, continue to coordinate and support efforts in each community which meet community needs.

The Commissioner shall assign a staff coordinator who will develop a plan for implementation, monitoring and evaluation of this policy.